

**Amendments to the Drawings**

The attached sheets of drawings includes changes to Figs. 19(a), 20(a), 21(a), 22(a), 22(c), 25(b), 26(a), 26(b), 27(e), 35(a), 36, 38(b), 41(a), 41(b) and 44(b). These drawing sheets each include the same Figs numbers as originally filed except for the sheet with Figs. 20(a), 20(b) and 21(a) in which Fig 21(a) has been corrected to read as Fig. 21. In Fig. 19(a), referent lines 19(b)-19(b) and 19(e)-19(e) have been corrected. In Fig. 20(a), elements 110 and 132 are properly identified. Fig. 22(a) also has elements 110 and 132 properly identified, and the referent for line 22(c)-22(c) has been corrected. Fig. 25(b) has elements 110 and 132 properly identified. In Figs. 26(a) and 26(b), referents for lines 26(b)-26(b) and 26(c)-26(c) have been corrected and elements 110 and 132 properly identified. Fig. 27(e) shows a corrected referent for line 27(f)-27(f). Fig. 35 (a) shows a corrected referent for line 35(b)-35(b). In Fig. 36, referent line 37(a)-37(a) has been corrected. Fig. 38(b) correctly identifies element 110. Fig. 41(a) correctly identifies element 110. Fig. 41(b) shows a corrected referent for line 41(a)-41(a), and Fig. 44(b) shows a corrected referent for line 44(a)-44(a). No new matter has been added with these amendments.

Attachment: 38 Replacement Drawing Sheets

## **REMARKS**

Applicants have received and carefully reviewed the Office Action mailed on January 12, 2007. Claims 1, 6-9, 12 and 21-22 remain pending, with all other claims cancelled without prejudice. Reconsideration and reexamination are respectfully requested.

In the claims, the recitations of claims 2-4 have been added to claim 1, and therefore these claims have been cancelled without prejudice. The recitations of claims 13-14 have been added to claim 12, and therefore these claims have been cancelled without prejudice. Withdrawn claims 5, 10 and 15-16 have also been cancelled, without prejudice. Claim 11 was previously mistakenly asserted as being drawn to the elected species, however, this does not appear to be the case. In any event, claim 11 has been cancelled without prejudice.

In paragraph 2 of the Office Action, the Examiner requested that the specification be updated to reflect the changes in status patent applications referenced in the specification. It is believed that the above amendments provide a full update to the status information. Applicants have also made various amendments to the specification in order to address informalities and typographical errors. The drawings have also been amended in like fashion. No new matter is added by these amendments.

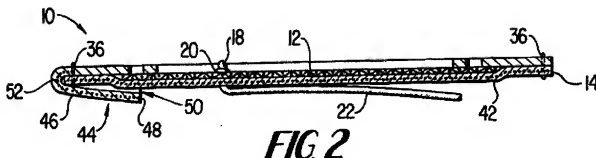
In paragraph 4 of the Office Action, claims 2-4 were rejected under 35 U.S.C. §112, second paragraph as being indefinite, with the rejection based on the usage of the term "proximal" without providing an indication of the relevant frame of reference for defining "proximal." In the above amendments, claim 2 is incorporated into claim 1. In making this amendment, the relevant portion of claim 1 has been modified to recite, "the opening faces proximally relative to the electrode assembly." It is believed that this amendment addresses and overcomes the rejection.

In paragraph 6 of the Office Action, claims 1-4, 6-9, 11 and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,270,549 to Heilman. As shown above, claim 1 has been amended to incorporate claims 2-4. Applicants note in particular the addition of the recited fin from claim 4:

... the electrode assembly further comprises a fin secured to the back side, the fin disposed with respect to the piece of material to at least partially define the opening.

With respect to claim 4 and the recited fin, the Office Action states, "Heilman shows the electrode assembly further comprises a fin (52) secured to the backside..." Applicants believe, however, that no "fin," as recited, is disclosed by Heilman.

Applicants note Figure 2, which clearly shows that item 52 is a mesh embedded in a layer of Silastic:



Thus, element 52 is clearly not a fin. Further, Heilman discusses element 52 as follows:

Additionally, a portion of Dacron mesh 52 may be embedded in the pocket or pouch 44 in order to provide added strength to the pocket to prevent tearing by the insertion tool.

(Heilman at column 6, lines 53-56). It appears that the Dacron mesh 52 is used to reinforce one or both of the Silastic layers, for example, as explained generally at column 4, lines 59-62 and column 6, lines 36-57. Heilman also shows the embedded mesh 52 in Figure 3, as noted at column 6, lines 67-68. Thus, the mesh 52 is not a fin, and is instead simply part of one of the upper or lower layers of Silastic discussed by Heilman.

Referring briefly to the Applicants' specification to explain the claimed fin, Figure 41(c) shows a cross section in which a fin 120 is shown in the interior of the pocket 1300. The fin of Figure 41(c) is discussed on page 68 of the specification, at lines 8-27.

In light of the above, it is clear that Heilman does not disclose a fin as recited in claim 1. Therefore it is believed that claim 1, along with dependent claims 6-9 and 21, are patentable over Heilman.

In paragraph 8 of the Office Action, claims 11-14 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over Heilman. Again, claim 12 has been amended to incorporate dependent claims 13-14, and now recites, in relevant part, "the molded cover is secured to or formed with a fin on the back portion, the piece of material being secured over the fin." As with

claim 1, the Office Action makes reference to element 52 of Heilman as being the "fin." As discussed above, element 52 is a Dacron mesh used to reinforce a layer of the device of Heilman, and therefore disclosure of a "fin" is lacking. As a result, the Office Action does not address or present a *prima facie* case of obviousness, and it is believed that the rejection should be withdrawn relative to remaining claims 12 and 22.

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

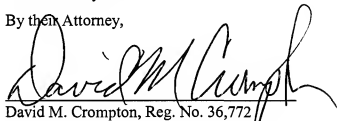
Respectfully submitted,

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By their Attorney,

Date: \_\_\_\_\_

4/11/07



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